

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER R. BURNLEY,

Defendant.

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MEMORANDUM

09-cv-547-bbc

06-cr-141-jcs

Defendant Walter R. Burnley's motion for post conviction relief under 28 U.S.C. § 2255 is being briefed. Now defendant has filed a motion for an evidentiary hearing. I will reserve ruling on this motion until I have reviewed the written materials filed by the parties under the September 22, 2009 briefing schedule.

Entered this 6<sup>th</sup> day of October, 2009.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge